

FOR UTILITY/DESIGN  
CIP/PCP NATIONAL/PLANT  
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL  
DECLARATIONS

**RULE 83 (37 C.F.R. 1.83)**  
**DECLARATION AND POWER OF ATTORNEY**  
**FOR PATENT APPLICATION**

PW  
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed, and for which a patent is sought on the **INVENTION ENTITLED** COLLECTING AND HOLDING APPARATUS.

COLLECTING, ANALYZING, CONSOLIDATING, DELIVERING AND UTILIZING DATA RELATING TO A CURRENT EVENT

X  the specification of which **(CHECK applicable BOX(S))**  
**BOX(ES)** → B.  was filed on \_\_\_\_\_ as U.S. Application No. \_\_\_\_\_ /  
→ C.  was filed as PCT International Application No. PCT/\_\_\_\_\_ / on \_\_\_\_\_  
and if applicable to U.S. or PCT application) was amended on \_\_\_\_\_  
and hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim priority rights under 35 U.S.C. 119(a)-(d) or 35(b) of any foreign application(s) for patent or inventor's certificate, or 35(c) of any PCT International Application. \_\_\_\_\_  
Priority claim(s) \_\_\_\_\_ and having file date \_\_\_\_\_ is/are identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee, disclosing the subject matter claimed in this application and having a filing date (1) before that of the application or (2) within one year after the filing date of this application.

**PRIOR FOREIGN APPLICATION(S)**

| Number | Country | Date/MONTH/Year Filed | Date First Published or Granted | Priority NOT Claimed |
|--------|---------|-----------------------|---------------------------------|----------------------|
|--------|---------|-----------------------|---------------------------------|----------------------|

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If more prior foreign applications, X box or know and continue on attached page.  
Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT International applications listed above or below and, if this is a continuation-in-part (CIP) application, similar as the subject matter disclosed and claimed in this application. In addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as contained in 37 C.F.R. 1.56 when become available between the filing date of each such prior application and the national or PCT International filing date of this application.

PRIOR U.S. PROVISIONAL, NON-PROVISIONAL AND/OR PCT APPLICATION(S)  
Application No. (6 digit provisional no.) Date/MONTH/Year Filed  
60/270,128 February 22, 2001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under the laws of the United States.

And I hereby appoint Fielder Whiting, LLP, Intellectual Property Group, 1600 Tysons Boulevard, McLean, VA 22102, telephone number (703) 905-2000 (to whom all communications are to be directed), and its below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to represent me in all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons from my firm and act and rely on instructions from the person/organization/firm/organization who/which has sent/sent/has this case to them and by whomsoever I hereby declare that I have consented after full discussion to be represented by/unless I amend the above Firm and/or its below attorney to whom the case is referred.

**(1) INVENTOR'S SIGNATURE:**

• P2-31-07

|                 |                                             |      |         |                     |       |                      |             |
|-----------------|---------------------------------------------|------|---------|---------------------|-------|----------------------|-------------|
| S.              | I.                                          | Esp. | Sp-Call | Residence           | First | Middle Initial       | Family Name |
|                 |                                             |      |         | Lancaster           |       | California           | U.S.A.      |
| Mailing Address | CS                                          |      |         | State/Postal County |       | County of California |             |
|                 | 43000 Pearwood Drive, Lancaster, California |      |         |                     |       |                      |             |

(Include Zip Code)

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|                                                                                                  |  |                         |
|--------------------------------------------------------------------------------------------------|--|-------------------------|
| ④ INVESTIGATOR'S SIGNATURE:                                                                      |  | Date: FEB 2001, 2002    |
| Salomoni                                                                                         |  | SIO                     |
| Residence: Fukuoka-shi                                                                           |  | City: Japan             |
|                                                                                                  |  | State/Protein County:   |
|                                                                                                  |  | Country of Citizenship: |
| Mailing Address: 2-3-32 Shinwa-cho, Hatake-ku, Fukuoka-shi, 819-0075, Japan<br>Include Zip Code: |  |                         |

See additional foreign priorities on attached page (incorporated herein by reference).

Alt., Dkt. No. P275848

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**Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b)**  
**PATENT AND TRADEMARK CASES - RULES OF PRACTICE**  
**DUTY OF DISCLOSURE**

- (a) ... Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability... (b) information is material to patentability when it is not cumulative and (1) it also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

**PATENT LAWS 35 U.S.C.**

**§102. Conditions for patentability; novelty and loss of right to patent**

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months\* before the filing of the application in the United States, or
- (e) the invention was described in  
(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or  
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a); or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) (1) during the course of an Interference conducted under section 135 or section 291, another inventor involved therein establishes, to the extent permitted in section 104, that before such person's invention thereof the invention was made by such other inventor and not abandoned, suppressed, or concealed, or  
(2) before such person's invention thereof, the invention was made in this country by another inventor who had not abandoned, suppressed, or concealed it. In determining priority of invention under this subsection there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

**§103. Condition for patentability; non-obvious subject matter**

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
- (b) Subject matter developed by another person, which qualified as prior art only under one or more of subsections (e), (f) and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

\* Six months for Design Applications (35 U.S.C. 172).